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FORM PTO-1390  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

LEA 32 509

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/601571**

INTERNATIONAL APPLICATION NO.

PCT/EP99/00411

INTERNATIONAL FILING DATE

22 January 1999 (22.01.99)

PRIORITY DATE CLAIMED

04 February 1998 (4.02.98)

TITLE OF INVENTION

**ELECTROCHROMIC DISPLAY**

APPLICANT(S) FOR DO/EO/US

**BERNETH, Horst; CLAUSSEN, Uwe and JACOBSEN, Wolfgang**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - 1) Certification of Mailing under 37 C.F.R. 1.10;
  - 2) Transmittal of Information Disclosure Statement;
  - 3) Information Disclosure Citation (Modified Form PTO-1449);
  - 4) References cited; and
  - 5) Return Receipt Post Card.

Date of Deposit: 3 August 2000

Express Mail Label No. EF292675188US

U.S. APPLICATION NO. (if known) 31 CFR 1.53

09/601571

INTERNATIONAL APPLICATION NO.  
PCT/EP99/00411ATTORNEY'S DOCKET NUMBER  
LEA 32 509

CALCULATIONS PTO USE ONLY

17. ☐ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5))**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(c)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	13 -20 =	0	X \$18.00	\$ 00.00	
Independent claims	1 -3 =	0	X \$78.00	\$ 00.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$260.00	\$	

**TOTAL OF ABOVE CALCULATIONS =**

\$ 840.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

**SUBTOTAL =**

\$ 840.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =**

\$ 840.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

**TOTAL FEES ENCLOSED =**

\$ 840.00

Amount to be:	\$
refunded	
charged	\$

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-3372 in the amount of \$ 840.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-3372. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO

Jeffrey M. Greenman  
Vice President, Patents and Licensing  
Bayer Corporation  
400 Morgan Lane  
West Haven, Connecticut 06516

*Jerrie L. Chiu*  
SIGNATURE

Jerrie L. Chiu

NAME

41,670

REGISTRATION NUMBER

Attorney's Docket No. Le A 32 509

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berneth, et al.

Serial No.: National Stage Filing of PCT/EP99/00411

Filed: Herewtih

For: Electrochromic Display

BOX PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR 1.10I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- A First Preliminary Amendment;
- English translation of the International Application (35 U.S.C. 371(c)(2));
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement, Information Disclosure Citation (Modified Form PTO-1449), and copies of references cited therein; and
- Return Receipt Post Card.

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EF292675188US, addressed to:

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

3 August 2000

Date

Lauren Fitzgerald  
Signature of Person Certifying Lauren Fitzgerald